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10/775,817	02/10/2004	David Paul Yach	1578.115 (11428-4-US-PAT)	8167
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DOCKET CLERK Kelly-Krause PO BOX 12608 DALLAS, TX 75225			JOHNSON, JOHNESE T	
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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Office Action Summary	Application No. 10/775,817	Applicant(s) YACH ET AL.	
	Examiner JOHNESE JOHNSON	Art Unit 2166	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 August 2011.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ An election was made by the applicant in response to a restriction requirement set forth during the interview on ____; the restriction requirement and election have been incorporated into this action.
- 4) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 5) ☒ Claim(s) 1, 3-12, 14-18 and 20 is/are pending in the application.
- 5a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 6) ☐ Claim(s) ____ is/are allowed.
- 7) ☒ Claim(s) 1, 3-12, 14-18, and 20 is/are rejected.
- 8) ☐ Claim(s) ____ is/are objected to.
- 9) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 10) ☐ The specification is objected to by the Examiner.
- 11) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 12) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. ____. |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

Remarks

1. In response to the Amendment filed on 8-22-2011, claims 1, 3-12, 14-18 and 20 are pending in this application.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1, 3, 4, 7-12, 14, 15, and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Man Hak Tso (US Pat. No. 5,706,509) in view of Multer (US PG. Pub. No. 2001/00448051).

As to claim 1, Man Hak Tso discloses:

a first change list creator embodied at the selected one of the network-copy database and mobile-copy database, said first change list creator configured to create a first change list that lists change indicia of each change made to the selected one of the network-copy database and mobile-copy database during a selected time period during which one of the network-copy database and the mobile-copy database are changed

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(see col. 5, lines 24-55 and figures 4a and 4b);

a first change list identifier, embodied at the selected one of the network-copy database and mobile-copy database, said change list identifier providing an identifier value to the first change list creator, said identifier value uniquely identifying the first change list that is made by the first change list creator during said selected period (see col. 5, lines 24-55 and figures 4a and 4b); and

a transmitter that communicates the ~~first change list~~ identifier value at a time apart from a communication of the first change list following commencement of the synchronization session (see figure 4b item 320).

However, Man Hak Tso does not explicitly disclose:

a first change-list lock that prohibits any changes to the first change list created by said first change list creator and which is identified by said identifier value, said first change list lock configured to lock the first change list, thereby to prohibit changes to the first change list identified by said identifier value upon commencement of the synchronization session which synchronizes the network copy database to the mobile copy of the database, the selected time period defined by locking of the first change list by said first change-list lock .

Multer discloses:

a first change-list lock that prohibits any changes to the first change list created by said first change list creator and which is identified by said identifier value, said first change list lock configured to lock the first change list, thereby to prohibit changes to the first change list identified by said identifier value upon commencement of the

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synchronization session (see paragraph [0202]; wherein locking is performed before synchronization is initiated) which synchronizes the network copy database to the mobile copy of the database, the selected time period defined by locking of the first change list by said first change-list lock (see paragraph [0212], lines 1-2; wherein the locks prevent changes during synchronization and paragraph [0224]; wherein locks are initiated so that no changes may be made during synchronization).

It would have been obvious, at the time the invention was made, to have modified the teachings of Man Hak Tso by the teachings of Multer to prevent device engines accessing the same data at the same time (see Multer, paragraphs 202, 212, and 224).

As to claim 3, Man Hak Tso, as modified, discloses:

wherein the identifier value comprises a numerical value (see Man Hak Tso, figure 4b).

As to claim 4, Man Hak Tso, as modified, discloses:

wherein the numerical value uniquely identifies the first change list (see Man Hak Tso, figure 3a, item 304).

As to claim 7, Man Hak Tso, as modified, discloses:

further comprising a register to store a prior-associated value previously associated with a previously-generated change list formed prior to a prior synchronization session, and wherein the numerical value used by said change list identifier indicator is incrementally

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related to the prior-associated value (see Multer et al. paragraphs [0009] - database sync., [0212], line 2, and [0020] 6-7; wherein the selected log is received).

As to claim 8, Man Hak Tso, as modified, discloses:

wherein session state information is communicated between the mobile node and the network part upon commencement of a database synchronization session and wherein the identifier value identification formed by said change list identifier forms part of the session state information (see Multer et al., paragraph [0212], lines 1-2; wherein the session state information discloses identifies which log is locked and/or being updated).

As to claim 9, Man Hak Tso, as modified, discloses:

wherein, once locked by said first change-list lock, the first change list created by said first change list creator remains locked while at least one change indicia is contained in the first change list (see Multer et al., paragraph [0212], lines 2-3- locked during continuation of synchronization).

As to claim 10, Man Hak Tso, as modified, discloses:

wherein the change indicia contained in the first change list created by said change list creator comprises new-record indicia representative of at least a first record added to the selected one of the network-copy database and mobile-copy database (see Man Hak Tso, figure 4b – item 324 - new data set).

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As to claim 11, Man Hak Tso, as modified, discloses:

wherein the change indicia contained in the first change list created by said change list creator comprises altered record indicia representative of at least a first change (see Man Hak Tso, figure 4b – item 321).

As to claim 12, Man Hak Tso discloses:

creating a first list, which lists change indicia of each change made to the selected one of the network copy database and the mobile copy database during a selected period (see col. 5, lines 24-55 and figures 4a and 4b);

associating a unique identifier with said first change list, said unique identifier uniquely identifying the first change list (see col. 5, lines 24-55 and figures 4a and 4b);

initiating a synchronization session (see figure 2); and

communicating the unique ~~first change list identification~~ identifier over a radio air interface following synchronization session initiation and prior to communicating the first change list over the radio air interface (see figure 4b item 320).

However, Man Hak Tso does not explicitly disclose:

locking the first change list identified by said unique identifier upon commencement of the synchronization session to thereby prohibit any changes to the first change list after the commencement of the synchronization session, the selected period end defined by the locking of the first list.

Multer discloses:

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locking the first change list identified by said unique identifier upon commencement of the synchronization session to thereby prohibit any changes to the first change list after the commencement of the synchronization session (see paragraph [0202]; wherein locking is performed before synchronization is initiated) , the selected period end defined by the locking of the first list (see paragraph [0212], lines 1-2; wherein the locks prevent changes during synchronization and paragraph [0224]; wherein locks are initiated so that no changes may be made during synchronization).

It would have been obvious, at the time the invention was made, to have modified the teachings of Man Hak Tso by the teachings of Multer to prevent device engines accessing the same data at the same time (see Multer, paragraphs 202, 212, and 224).

As to claim 14, Man Hak Tso, as modified, discloses:

wherein the unique identifier associated with the first change list during said operation of associating comprises a numerical value (see Man Hak Tso, figure 4b).

As to claim 15, Man Hak Tso, as modified, discloses:

wherein the numerical value associated during said operation of associating with the first change list uniquely identifies the first change list (see Man Hak Tso, figure 3a, item 304).

As to claim 18, Man Hak Tso, as modified, discloses:

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wherein locking the first change list is performed after a decision is made to send the first change list between the mobile node and the network part (see Multer et al. paragraphs [0009] - database sync., [0212], line 2, and [0020] 6-7; wherein the selected log is received).

As to claim 20, Man Hak Tso, as modified, discloses:

wherein, once locked during said operation of locking, the first change list remains locked while at least one change indicia is contained in the first change list (see Multer et al., paragraph [0212], lines 2-3- locked during continuation of synchronization).

4. Claims 5-6 and 16-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Man Hak Tso (US Pat. No. 5,706,509) in view of Multer (US PG. Pub. No. 2001/00448051) and further in view of Cha (US PG. Pub. No. 2002/0116404).

As to claim 5, Man Hak Tso does, as modified by Multer, not explicitly disclose: further comprising a register to store a prior-associated value previously associated with a previously-generated change list formed prior to a prior synchronization session, and wherein the numerical value used by said change list identifier indicator is incrementally related to the prior-associated value.

Cha discloses:

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further comprising a register to store a prior-associated value previously associated with a previously-generated change list formed prior to a prior synchronization session, and wherein the numerical value used by said change list identifier indicator is incrementally related to the prior-associated value (see paragraph [0035], line 6 and [0051], lines 12-16).

It would have been obvious, at the time of the invention, having teachings of Man Hak Tso, Multer et al., and Cha et al. before him/her, to combine the features as disclosed by Man Hak Tso, Multer et al. with the features as disclosed by Cha et al. to provide an efficient logging scheme that can be used to recover a transaction processing system after a failure occurs (see Cha et al., paragraph [0014]).

As to claim 6, Man Hak Tso does, as modified by Multer, not explicitly disclose: wherein said change list identifier increments the prior-associated value by an integer value to form the numerical ~~identification~~-value.

Cha discloses:

wherein said change list identifier increments the prior-associated value by an integer value to form the numerical ~~identification~~-value (see paragraph [0057]).

It would have been obvious, at the time of the invention, having teachings of Man Hak Tso, Multer et al., and Cha et al. before him/her, to combine the features as disclosed by Man Hak Tso, Multer et al. with the features as disclosed by Cha et al. to provide an efficient logging scheme that can be used to recover a transaction processing system after a failure occurs (see Cha et al., paragraph [0014]).

As to claim 16, Man Hak Tso does, as modified by Multer, not explicitly disclose:
further comprising the operation of storing at a register a prior-associated value
previously associated with a previously-used change list formed prior to a prior
synchronization session, and wherein the unique identifier ~~identity~~
used during said operation of associating is incrementally related to the prior-associated
value .

Cha discloses:

further comprising the operation of storing at a register a prior-associated value
previously associated with a previously-used change list formed prior to a prior
synchronization session, and wherein the unique identifier ~~identity~~
used during said operation of associating is incrementally related to the prior-associated
value (see paragraph [0035], line 6 and [0051], lines 12-16).

It would have been obvious, at the time of the invention, having teachings of
Man Hak Tso, Multer et al., and Cha et al. before him/her, to combine the features as
disclosed by Man Hak Tso, Multer et al. with the features as disclosed by Cha et al. to
provide an efficient logging scheme that can be used to recover a transaction
processing system after a failure occurs (see Cha et al., paragraph [0014]).

As to claim 17, Man Hak Tso does, as modified by Multer, not explicitly disclose:
wherein said operation of associating comprises incrementing the prior-associated
value by an integer value to form the unique identifier ~~identity value~~.

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Cha discloses:

wherein said operation of associating comprises incrementing the prior-associated value by an integer value to form the unique identifier ~~identity value~~. (see paragraph [0057]).

It would have been obvious, at the time of the invention, having teachings of Man Hak Tso, Multer et al., and Cha et al. before him/her, to combine the features as disclosed by Man Hak Tso, Multer et al. with the features as disclosed by Cha et al. to provide an efficient logging scheme that can be used to recover a transaction processing system after a failure occurs (see Cha et al., paragraph [0014]).

Response to Arguments

5. Applicant's arguments filed 8-22-2011 have been fully considered but they are not persuasive.

Applicant's argument that Tso does not disclose, " an identifier value that uniquely identifies a change list and is communicated by a transmitter at a time apart from a communication of the change list", is acknowledged, but is not deemed persuasive.

In col. 5, lines 31-33 of Tso, it says that the synchronization mechanism is fed CLO and CL1 which are values that uniquely identify each change list and then the lists. It also says that the output from the synch. mechanism is the input to change the existing data.

Applicant's argument that Multer does not disclose, " that the change-list lock prohibits any changes to the first change list pursuant to a synchronization session", is acknowledged, but is not deemed persuasive.

In paragraph 224, Multer discloses that when the synchronization process starts management server may initiate a management server lock to prohibit any changes from any other device engines.

Conclusion

6. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

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A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to JOHNESE JOHNSON whose telephone number is (571)270-1097. The examiner can normally be reached on 4/5/9.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hosain Alam can be reached on 571-272-3978. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/J. J./

Examiner, Art Unit 2166

December 14, 2011

JJ

/Khanh B. Pham/

Primary Examiner, Art Unit 2166